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**RE: EMERGENCY ORDER 2021-01 ESTABLISHING PROCEDURES FOR THE CONTROL OF PANDEMIC IN SCHOOLS, PRESCHOOLS, CHILD CARE FACILITIES AND CAMPS**

DATE: May 17, 2021

**THIS ORDER** is made pursuant to the Michigan Public Health Code, [MCL 333.2451](#) and [MCL 333.2453](#), as well as [R 325.175](#), which is an administrative rule promulgated by the Michigan Department of Health and Human Services (MDHHS) pursuant to [MCL 333.2226\(d\)](#). Matters have been brought to the attention of the Bay County Health Department (BCHD), the Health Officer has determined that controls are necessary to protect the public health of Bay County residents by reducing the epidemic transmission of SARS-CoV-2, the virus which causes coronavirus disease 2019 ([COVID-19](#)), based on the following facts:

1. Through its Secretaries, the US Department of Health and Human Services (HHS) has issued determinations, including on [01-31-2020](#) and as recently as [04-15-2021](#), that a Public Health Emergency exists nationwide as the result of the continued consequences of COVID-19.
2. Through its Directors, MDHHS has issued Epidemic Orders, including on [10-05-2020](#), again on [04-16-2021](#), and as recently as [05-04-2021](#), to address threats to the public health posed by the COVID-19 pandemic. Note that provisions regarding schools within these orders have been described explicitly as, “Subject to local health department and school district authority.”
3. A biological agent (the SARS-CoV-2 virus) or the effects of a biological agent have been detected within Bay County, and there have been 5,865 laboratory confirmed cases of COVID-19 among Bay County residents between 03-16-2020 and 05-15-2021. [Cases](#) of COVID-19 continue to accrue at an elevated rate among residents, with attendant morbidity and excess mortality. As of 05-06-2021, Bay County has a 7-day test positivity rate of 15.2% and a 7-day new case rate of 327 cases per million population. These statistics indicate a high level of community transmission that has strained Bay County’s public health capacity and healthcare delivery infrastructure.
4. COVID-19 is a communicable disease and can be [transmitted](#) efficiently from person to person. The virus spreads from person-to-person, primarily through airborne transmission when a person who is susceptible to infection occupies an indoor space with another person who is an infectious case of COVID-19. Transmission is more likely to occur indoors when people are unmasked and in close proximity (e.g., living in a shared household; dining indoors; etc.), but transmission can occur across longer distances, especially in poorly ventilated spaces or where air is recirculated. Transmission is unlikely to occur outdoors or among vaccinated persons.
5. While the on-going [COVID-19 vaccination](#) campaign is expected to reduce community transmission, the proportion of the population that remains susceptible to infection, including children and others who cannot be vaccinated, is sufficiently high that COVID-19 continues to pose a public health threat to Bay County’s healthcare delivery infrastructure and other essential services. As of 05-14-2021, there were 39,611 Bay County residents who were fully vaccinated (43.9%) and another 7,179 residents who were partially vaccinated (51.9% combined).

6. Cases of COVID-19 typically cease shedding infectious virus within [10 days](#) after symptom onset. Anyone who exposed to a case beginning 2 days (48 hours) before the case's symptom onset (or specimen collection) and continuing throughout the case's infectious period should be deemed exposed. A [close contact](#) has been defined as someone who accrued  $\geq 15$  minutes during a 24 hour period within 6 feet of a laboratory-confirmed or clinically-compatible case of COVID-19.
7. Close contacts who have been required to quarantine frequently go on to develop COVID-19, especially when close contacts reside in a shared household with a case. The household secondary attack rate of SARS-CoV-2 has been estimated to be ~15%.
8. When businesses and schools have consistently adhered to isolation, quarantine, and other nonpharmacological interventions (including mask wearing indoors, improved ventilation, physical distancing, and handwashing), outbreak spread of COVID-19 has been curbed.
9. The Food and Drug Administration (FDA) has authorized tests for detecting COVID-19, including both molecular (i.e., PCR) and antigen tests. Antigen tests are unlikely to give false positive results, but they can give false negative results. Antigen tests are most effective at detecting new cases when used serially (i.e., every day or two). PCR tests are incredibly sensitive and are unlikely to give false negative results. However, PCR tests can also remain persistently positive even after a case is no longer infectious, which is why CDC does not recommend re-testing within 90 days or endorse requirements for negative tests for return to work/school. Rapid antigen tests (e.g., Abbott BinaxNOW) are available for use by schools, preschools, child care facilities, and camps in Bay County.
10. On 05-13-2021, the Centers for Disease Control and Prevention (CDC) issued [recommendations](#) stating that fully vaccinated people no longer need to wear a mask or physically distance in any setting, "except where required by federal, state, local, tribal, or territorial laws, rules, and regulations, including local business and workplace guidance."

BCHD's Health Officer has established emergency procedures for gathering restrictions to be followed during the epidemic to protect the public health and ensure continuity of essential services. It is hereby ordered that:

1. Persons identified as cases must complete a period of isolation for 10 days after (a) symptom onset or else (b) specimen collection for persons who were asymptomatic when tested.
2. Persons identified as cases must cooperate with identification of close contacts who would have been at high risk of exposure during the period beginning 2 days (48 hours) before symptom onset (or specimen collection) and continuing through the date interviewed by case investigators. Cases must identify and provide contact information for close contacts.
3. Persons identified as close contacts must complete a period of quarantine and are restricted from gatherings with people outside of their household for 10 days after the most recent date of exposure to a case, thereby reducing the risk of unrecognized transmission during the viral incubation period (as long as 12 to 14 days) by preventing someone who was exposed (and might or might not go on to become a case) from spreading the virus during any asymptomatic or pre-symptomatic infectious period.
4. Close contacts who continue to reside in a shared household with a case during the case's isolation period must postpone the 10 day countdown to the end of quarantine (and are restricted from

gatherings with people outside of their household) until after the end of the isolation period for all cases that occur within the shared household.

5. Persons identified as close contacts may avoid quarantine if they are willing to cooperate with serial testing so that any new cases can be promptly identified for isolation. Serial testing for close contacts must be administered by an organization's representative each morning prior to facility entry. Serial testing must occur every day for 5 days following the most recent date of exposure and then on day 7 and day 9. Close contacts who continue to reside in a shared household with a case during the case's isolation period must postpone initiating serial testing until after the end of the isolation period for all cases that occur within the shared household.
6. During a period of [isolation](#) or [quarantine](#), persons identified as cases and/or close contacts must adhere to heightened physical distancing by confining themselves to their own home or other location that will permit them to refrain from contact with other members of the public, whether gatherings might take place indoors or outdoors.
7. When probable or confirmed cases are identified among staff, students, or visitors to a school, preschool, child care facility, or camp, representatives of the relevant organization must support case investigation and contact tracing by helping to identify and provide contact information for persons who (a) were excluded from the organization's facilities or (b) might have had opportunity for exposure to COVID-19.
8. Any person who is currently asymptomatic and who:
  - a. is [fully vaccinated](#);
  - b. was identified as a laboratory confirmed case of COVID-19 within the last 90 days; or
  - c. is employed as a healthcare worker;must be excluded from quarantine.
9. Regardless of vaccination status or the absence of symptoms, mask wearing will continue to be required in Bay County for persons occupying any indoor space within schools, preschools, child care facilities, and camps.
10. The contents of this Order shall be published to the members of the public at large by all reasonable means available.
11. Schools, preschools, child care facilities, and camps must disseminate, publish, and post this Order so that it is visible to all staff, students, attendees, or visitors.
12. Pursuant to [MCL 333.2443](#), a person who violates a regulation of a local health department or order of a local health officer is guilty of a misdemeanor punishable by imprisonment for not more than 6 months or a fine of not more than \$200.00, or both.
13. Organizations that require or permit a known case or close contact to act contrary to this Order is also in violation of this Order and subject to the penalties prescribed by the Michigan Public Health Code.
14. This Order may also be enforced pursuant to [Part 24](#) of the Michigan Public Health Code.

15. This Order will become effective 12:00 AM, May 18, 2021 and will remain in effect for thirty days or until it is determined by the Health Officer of the Bay County Health Department (BCHD) that the threat to the Public's Health and lives is no longer present. This order may be revised as well as supplemented with specific procedures and orders per the Michigan Public Health Code.

**Dated:** 09:00 PM May 17, 2020



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Joel R. Strasz  
Health Officer  
Bay County Health Department

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Attachment A: Clinical criteria included in case definition for COVID-19 from the Council of State and Territorial Epidemiologists (CSTE)

**At least two of the following symptoms:**

- fever (measured or subjective),
- chills,
- rigors,
- myalgia,
- headache,
- sore throat,
- nausea or vomiting,
- diarrhea,
- fatigue,
- congestion or runny nose

OR

**Any one of the following symptoms:**

- cough,
- shortness of breath,
- difficulty breathing,
- new olfactory disorder
- new taste disorder